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IV 2309525

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY

CASE NUMBER: IV 2309525

SUBJECT(S): Holly Coleman, Deputy, [redacted]

STATION/UNIT/BUREAU: Palmdale Station, Field Operations Region I

DATE/TIME/DAY: March 20, 2012, 1330 hours

LOCATION: Westbound 118 Freeway at Erringer Road, Simi Valley

ALLEGATION:

On March 20, 2012, Internal Criminal Investigation Bureau (ICIB) opened a criminal investigation into an allegation that Subject Holly Coleman maintained possession of a Sheriff's Department flat badge and identification card she had previously reported lost, intentionally concealing it from the Sheriff's Department.

> **IAB Note:** On August 20, 2012, Internal Criminal Investigation Bureau completed their investigation and the ICIB case book is included with this investigation as **Exhibit A.**

SYNOPSIS:

On May 26, 2010, Captain Bobby Denham and Lieutenant Don Ford [redacted] Subject Coleman [redacted] Subject Coleman [redacted]. Subject Coleman surrendered her firearm and uniform badge. Subject Coleman stated she did not have her flat badge. In the days and weeks following, Lieutenant Ford and his operations staff made several attempts to retrieve her flat badge and identification card, during which time Subject Coleman stated she had lost them. On August 17, 2010, Subject Coleman completed a lost property report and signed an affidavit of loss for her flat badge under file # 910-13825-2610-442 (refer to **Exhibit A,** pages 25-34).

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On March 20, 2012, at approximately 1330 hours, Subject Coleman called Acting Captain, Lieutenant Don Ford and reported she had been pulled over by a Ventura County Sheriff's deputy in an unmarked car. Subject Coleman complained about the deputy's tactic of pulling in front of her, almost causing a collision. Subject Coleman stated the Ventura County deputy was rude and told her he was going to call Palmdale Station about the incident.

A few minutes after receiving Subject Coleman's phone call, Lieutenant Ford received a call from Deputy [redacted], of the Ventura County Sheriff's [redacted]. Deputy [redacted] stated he and his partner, [redacted] had stopped Subject Coleman for driving in excess of 90 mph west on the 118 Freeway in Simi Valley. Deputy [redacted] stated Subject Colman identified herself as a Los Angeles County Deputy Sheriff by displaying a bi-fold wallet containing her flat badge. Based on the information Lieutenant Ford received from Deputy [redacted] Lieutenant Ford completed a request for an internal criminal investigation into Subject Coleman making a false report. (refer to **Exhibit A,** pages 20-21)**.**

On March 20, 2012, Sergeant Eric Castano of the Internal Criminal Investigation Bureau was assigned to investigate the allegation. During the criminal investigation Sergeant Castano interviewed Witnesses Deputy [redacted] and Civilian Investigator [redacted] both from Ventura County Sheriff's Department. Deputy [redacted] was the deputy who conducted the traffic stop on Subject Coleman on March 20, 2012. [redacted] was Deputy [redacted] partner at the time of the traffic stop. Witness [redacted] stated when he approached Subject Coleman's vehicle she (Coleman) displayed what he believed to be a Los Angeles County Sheriff's Department flat badge, encased in a black leather bi-fold wallet. Witness [redacted] stated she did not handle Subject Coleman's flat badge, but did see the badge. Both witnesses described the badge to investigators and believed the badge was authentic.

On April 5, 2012, Sergeants Matthews and Castano went to Palmdale Station and asked Operations Assistant [redacted], [redacted], to call Subject Coleman to inquire if she found her flat badge. The phone call was digitally recorded and later transcribed. During the phone call Subject Coleman stated she had found her flat badge, but she did not have it any more. Subject Coleman said her house flooded, and a storage company took her flat badge from a bowl on a dresser in her room and boxed it up. Subject Coleman said her flat badge was removed from her home and taken to a storage facility.

INTERNAL AFFAIRS BUREAU
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IAB Note: The recorded phone conversation between [redacted] and Subject Coleman was transcribed and is included with this investigation as **Exhibit B.**

After hearing Subject Coleman explain the circumstances of her flat badge being found, then lost again when the storage company took it away, Sergeant Castano checked the National Insurance Crime Bureau's data base for any insurance claims. Sergeant Castano discovered an insurance claim for flood damage by [redacted], Subject Coleman's [redacted]. Sergeant Castano identified the storage company as, American Craftsman Restoration.

IAB Note: A copy of the insurance claim is included with this investigation in **Exhibit A,** pages 35-36.

Sergeant Castano interviewed all the employees; [redacted], of the storage company that were involved in the storage and moving of the property from Subject Coleman's [redacted] home. All of the employees stated they did not see a Sheriff's Department badge during the packing of the home. The American Craftsman records made no mention of a Sheriff's Department badge being discovered or stored.

A search warrant was authored for Subject Coleman's person, her vehicle, and her residence. The search warrant was signed by the Honorable Judge Tomson Ong (refer to **Exhibit A,** pages 37-44). On April 17, 2012, during the execution of the search warrant, Subject Coleman was contacted during a traffic stop and she was found to be in possession of her Sheriff's Department flat badge and identification card.

On April 17, 2012, Subject Coleman voluntarily interviewed with Internal Criminal Investigation Bureau investigators, Sergeants Castano and Matthews. Subject Coleman stated she originally lost her flat badge and identification July of 2010 or 2011. Subject Coleman stated she wrote a report documenting the loss prior to being [redacted]. This is inconsistent with the date of lost property report, August 18, 2010, which was over two months after Subject Coleman was [redacted] on May 26, 2010. Subject Coleman stated she found her flat badge and identification card sometime after Thanksgiving of 2011. Subject Coleman stated after finding her flat badge she did not tell anyone or turn it in because she was still a deputy. Subject Coleman stated she did not know how it could be theft if she legitimately lost her flat badge and she later found it.

On July 27, 2012, Sergeant Carrizosa made a verbal request to interview Subject Coleman through her Attorney, Alfonso Estrada regarding this investigation and a [redacted]. Alfonso Estrada stated Subject Coleman was unavailable due to the fact Subject Coleman was [redacted] by the Department pursuant to Civil Service Rule 18.01. Alfonso Estrada later confirmed Subject Coleman was unavailable in writing, refer to **Exhibit C.** Based on Subject Coleman's being unavailable she was not interviewed by Internal Affairs Bureau investigators.

On August 20, 2012, Sergeant Eric Castano of the Internal Criminal Investigation Bureau completed the criminal investigation into Subject Coleman under Sheriff's Department file 912-00038-2003-441. The criminal investigation was submitted to the Los Angeles County District Attorney's Office for consideration of criminal filing. As of February 22, 2013, the District Attorney's had not filed any charges.

WITNESS INTERVIEWS:

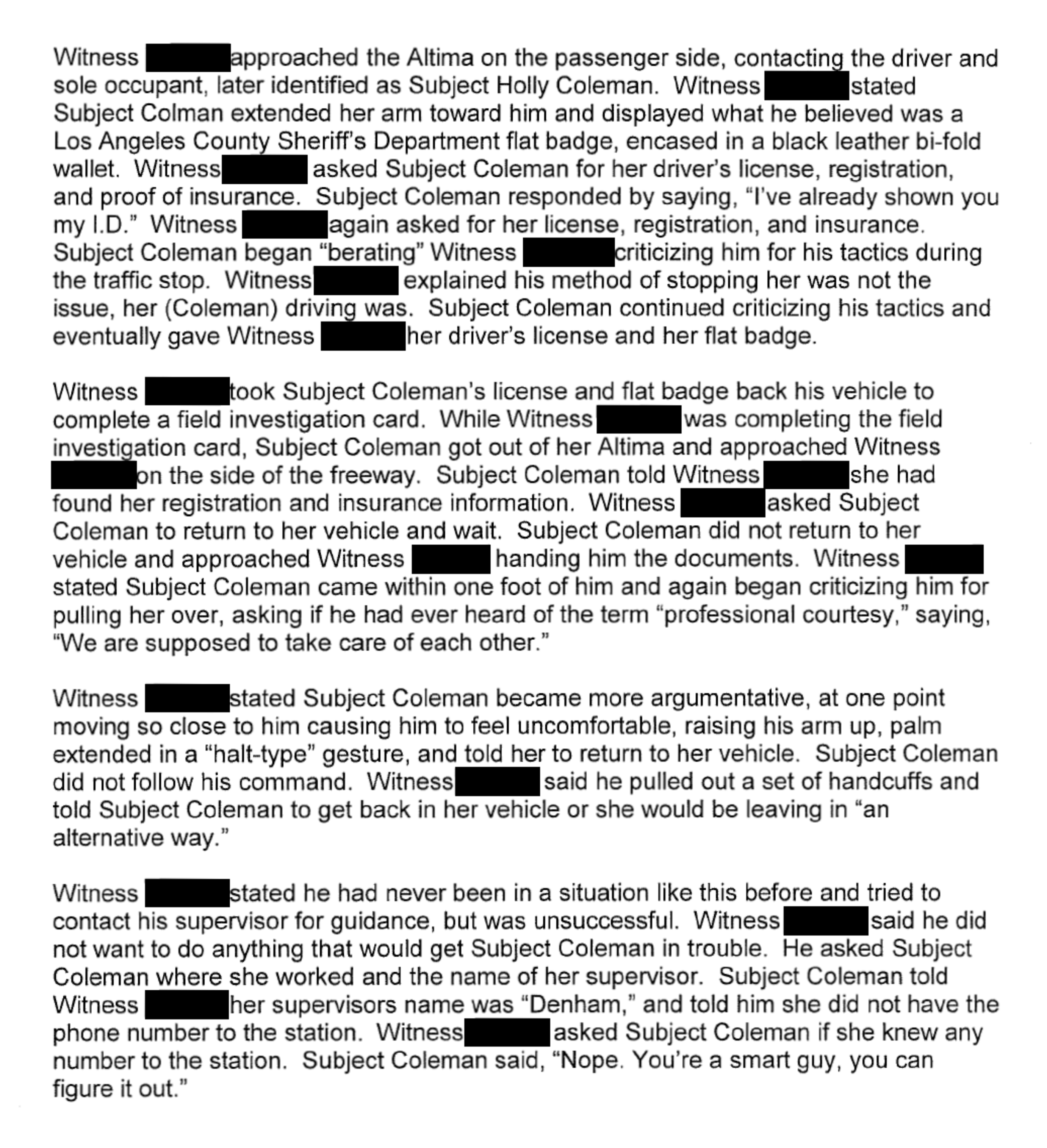
[redacted] Ventura County Deputy Sheriff, [redacted], was interviewed on March 26, 2012, by Sergeants Eric Castano and Kelly Matthews of the Internal Criminal Investigation Bureau. The interview was digitally recorded and later transcribed. A copy of his transcribed interview is included with this investigation. The following is a summary of his interview.

Witness [redacted] said he is a twelve year veteran of the Ventura County Sheriff's Department, currently assigned to the [redacted] On March 20, 2012, at approximately 1300 hours he was driving an unmarked Ford Taurus in the number one lane west on the 118 Freeway with his partner, Witness [redacted] Witness [redacted] saw a white Nissan Altima approaching in his rear view mirror. His attention was drawn to the Altima due to its high rate of speed.

As the Altima passed, Witness [redacted] estimated its speed to be approximately 90 miles per hour. Witness [redacted] stated he normally does not write traffic tickets on the freeway, but as he watched the Altima it became apparent to him the Altima was being driven so recklessly it constituted a hazard to other motorists.

Witness [redacted] attempted to catch up to the Altima increasing his speed to 98 miles per hour. The Altima continued to pull away from Witness [redacted] The traffic on the freeway caused the Altima to slow and Witness [redacted] was able to initiate a traffic stop of the Altima. After activating his front facing red light, the driver of the Altima quickly braked moving from the number one lane across all the lanes of traffic. Witness [redacted] said the braking was so dramatic it forced him to pass the Altima, making a U-turn on the freeway to contact the driver of the Altima.

INTERNAL AFFAIRS BUREAU
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Witness [redacted] approached the Altima on the passenger side, contacting the driver and sole occupant, later identified as Subject Holly Coleman. Witness [redacted] stated Subject Colman extended her arm toward him and displayed what he believed was a Los Angeles County Sheriff's Department flat badge, encased in a black leather bi-fold wallet. Witness [redacted] asked Subject Coleman for her driver's license, registration, and proof of insurance. Subject Coleman responded by saying, "I've already shown you my I.D." Witness [redacted] again asked for her license, registration, and insurance. Subject Coleman began "berating" Witness [redacted] criticizing him for his tactics during the traffic stop. Witness [redacted] explained his method of stopping her was not the issue, her (Coleman) driving was. Subject Coleman continued criticizing his tactics and eventually gave Witness [redacted] her driver's license and her flat badge.

Witness [redacted] took Subject Coleman's license and flat badge back his vehicle to complete a field investigation card. While Witness [redacted] was completing the field investigation card, Subject Coleman got out of her Altima and approached Witness [redacted] on the side of the freeway. Subject Coleman told Witness [redacted] she had found her registration and insurance information. Witness [redacted] asked Subject Coleman to return to her vehicle and wait. Subject Coleman did not return to her vehicle and approached Witness [redacted] handing him the documents. Witness [redacted] stated Subject Coleman came within one foot of him and again began criticizing him for pulling her over, asking if he had ever heard of the term "professional courtesy," saying, "We are supposed to take care of each other."

Witness [redacted] stated Subject Coleman became more argumentative, at one point moving so close to him causing him to feel uncomfortable, raising his arm up, palm extended in a "halt-type" gesture, and told her to return to her vehicle. Subject Coleman did not follow his command. Witness [redacted] said he pulled out a set of handcuffs and told Subject Coleman to get back in her vehicle or she would be leaving in "an alternative way."

Witness [redacted] stated he had never been in a situation like this before and tried to contact his supervisor for guidance, but was unsuccessful. Witness [redacted] said he did not want to do anything that would get Subject Coleman in trouble. He asked Subject Coleman where she worked and the name of her supervisor. Subject Coleman told Witness [redacted] her supervisors name was "Denham," and told him she did not have the phone number to the station. Witness [redacted] asked Subject Coleman if she knew any number to the station. Subject Coleman said, "Nope. You're a smart guy, you can figure it out."

Despite Subject Coleman's driving, and her uncooperative demeanor, once Witness [redacted] was satisfied she was indeed a deputy sheriff he made the decision not to write her a citation. Witness [redacted] elected to issue her a verbal warning, and returned her flat badge and driver's license. Witness [redacted] later discussed the traffic stop with one of his supervisors. He decided the best thing to do would be to call Palmdale Station to advise Subject Coleman's supervisor about the contact. Witness [redacted] called Palmdale Station at about 1415 hours and reported the details of the traffic stop to Lieutenant Ford.

During Witness [redacted] ICIB interview Sergeant Castano showed him a DMV photo of Subject Coleman to confirm she was the person Witness [redacted] stopped on March 20, 2012. Witness [redacted] positively identified Subject Coleman. Witness [redacted] described and drew a picture of the flat badge that Subject Coleman showed him (refer to **Exhibit A** page 22).

Witness [redacted] was asked, if Subject Coleman was not a sworn peace officer if he would have cited her for the traffic violations she committed. Witness [redacted] said he would have cited her, and probably would have arrested her for reckless driving and towed her car.

Witness [redacted] said Investigator [redacted] remained inside the Taurus for the duration of the contact with Subject Coleman, but believed she heard his conversation with Subject Coleman.

The above summary was written from information obtained from the Internal Criminal Investigation Bureau interview of Witness [redacted] Witness [redacted] interview was also summarized by Sergeant Castano in **Exhibit A**, pages 3-6.

[redacted] Civilian Investigator, [redacted], was interviewed by Sergeants Eric Castano and Kelly Matthews of the Internal Criminal Investigation Bureau on March 26, 2012, at the Moorpark Police Station. The interview was digitally recorded and later transcribed. A copy of her transcribed interview is included with this investigation. The following is a summary of her interview.

Witness [redacted] is a civilian investigator assigned to the Moorpark Police Station. She was in the front passenger seat during the traffic stop involving Subject Coleman. She said she saw the white Nissan Altima drive past their car at a high rate of speed. She saw the Altima brake abruptly when Deputy [redacted] activated his red light. She said she stayed in the Taurus, and heard portions of the conversation between Witness [redacted] and the driver (Subject Coleman).

Initially, she heard Witness [redacted] ask for Subject Coleman's driver's license and registration several times before Subject Coleman provided them to Witness [redacted] Witness [redacted] said she could only hear the sound of Subject Coleman's voice but could not hear exactly what she was saying. When Witness [redacted] came back to the Taurus, he showed her Subject Coleman's flat badge. Soon thereafter, she saw Subject Coleman get out of her car and get "nose-to-nose" with Witness [redacted] asking, "What do you want out of this?" She heard Witness [redacted] tell Subject Coleman to get back into her car. Subject Coleman asked Witness [redacted] "Why are you doing this?"

Witness [redacted] said she heard more of what Witness [redacted] was saying during the traffic stop, characterizing it as hearing "one side of the conversation." Witness [redacted] described Subject Coleman's behavior as uncooperative, saying Witness [redacted] had to repeat his commands numerous times. Witness [redacted] said she had [redacted] of law enforcement experience, including some time as a [redacted], and described Subject Coleman's behavior as "borderline" in terms of satisfying the criteria for delaying or obstructing a peace officer. Witness [redacted] said Subject Coleman complied with Witness [redacted] "last warning," threatening to take her to jail if she did not get back into her car.

Witness [redacted] said she did not handle Subject Coleman's flat badge, but she did see it. Witness [redacted] described the flat badge as a gold star with blue lettering on the star itself. She also described the black leather wallet containing the star. She did not closely examine the identification card, saying she knew what she was looking at and accepted it as authentic. Witness [redacted] also completed a sketch of the badge (refer to **Exhibit A,** page 23).

The above summary was written from information obtained from the Internal Criminal Investigation Bureau interview of Witness [redacted] Witness [redacted] interview was also summarized by Sergeant Castano in **Exhibit A**, pages 6-7.

[redacted] were the seven employees of American Craftsman Restoration who Sergeant Castano identified as being involved in the packing and storage of Subject Coleman's [redacted] home.

The employees described a detailed process of packing homes which involved a computerized running log, photographs, and a pack-out inventory. None of the employees involved in the packing recalled seeing or packing a Sheriff's Department badge. Several of the employees stated if an item such as a Sheriff's Department badge was found it would have been brought to the attention of the homeowner.

None of the documentation completed by American Craftsman Restoration indicated the discovery or movement of a Sheriff's Department badge.

IAB Note: The American Craftsman Restoration documentation was obtained by Sergeant Castano and will be maintained in ICIB investigative file.

Sergeant Castano interviewed all of the American Craftsman Restoration employees involved in the packing and storage of Subject Coleman's [redacted] home. The interviews were digitally recorded. For a complete summary of each of the interviews see **Exhibit A,** pages 10-14.

IAB Note: [redacted] was the first point of contact at American Craftsman Restoration, and her interview was not recorded.

SUBJECT INTERVIEW:

Holly Coleman, Deputy, [redacted], was interviewed on April 17, 2012, by Sergeants Eric Castano and Kelly Matthews of the Internal Criminal Investigation Bureau. Subject Coleman voluntarily agreed to be interviewed after being detained on a traffic stop during the execution of a search warrant. The interview took place inside Sergeant Castano's car. The interview was digitally recorded and later transcribed. The following is a summary of her interview.

Sergeant Castano explained the allegation to Subject Coleman that she reported her flat badge lost in 2010 and subsequently presented that badge to a Ventura County deputy sheriff who pulled her over in March, 2012. Subject Coleman stated she originally lost her flat badge and identification in July of 2010 or 2011. Subject Coleman stated she wrote a report documenting the loss prior to being [redacted] This is inconsistent with the date of lost property report, August 18, 2010, which was over two months after Subject Coleman was [redacted] on May 26, 2010. Subject Coleman stated she found her flat badge and identification card in a downstairs bedroom of her [redacted] home in a bowl of junk sometime after Thanksgiving of 2011. Subject Coleman stated after finding her flat badge she did not tell anyone or turn it in because she was still a deputy. Subject Coleman stated she did not know how it could be theft if she legitimately lost her flat badge and she later found her badge.

Subject Coleman stated she found her flat badge prior to it being moved or packed up by the storage company that was packing stuff because of the flood.

Subject Coleman initially stated she did not recall being stopped on March 20, 2012, by a Ventura County deputy sheriff (Witness [redacted] saying "I've been pulled over numerous times." After several minutes of questioning about if she recalled the traffic stop by the Ventura County deputy in Moorpark, Subject Coleman stated she did have an independent recollection of the traffic stop. Subject Coleman said she was going to her doctor with her mother in her car when she was pulled over. Sergeant Castano asked Subject Coleman if Witness [redacted] told her why he pulled her over. Subject Coleman did not answer the question, and claimed Sergeant Castano was trying to "pinpoint" her into a corner about details during the traffic stop. Sergeant Castano then just asked Subject Coleman "What do you remember about the traffic stop? Tell me what happened." Subject Coleman repeated she was going to the doctor and was pulled over. Subject Coleman went on to say, "What's wrong with being. I mean spirit of the law and letter of the law, what's wrong with being pulled over and let go?"

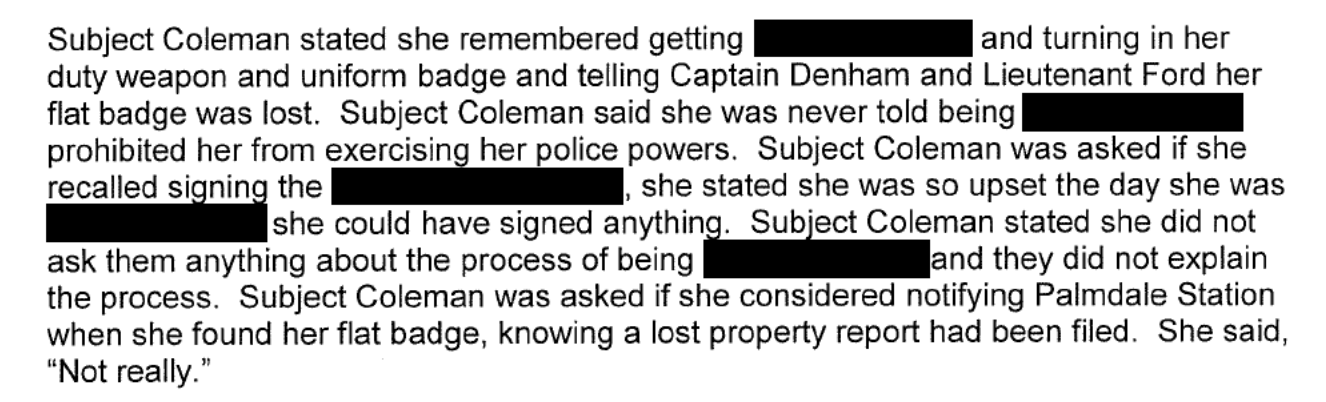
Subject Coleman was asked if she showed Witness [redacted] her badge. Subject Coleman said she probably did and went on to say she has been on for 14 years and it was normal for her to show her badge during a traffic stop.

Subject Coleman was asked to describe her driving prior to being pulled over and she said she could not remember. Subject Coleman denied going 100 miles per hour as Witness [redacted] had estimated.

Subject Coleman denied getting close to Witness [redacted] on the shoulder of the freeway, causing Witness [redacted] to hold out his arm to stop her from advancing toward him. Subject Coleman also denied being shown handcuffs by Witness [redacted] in an attempt to get her to return to her vehicle. Subject Coleman stated "That is a very fabricated story." Subject Coleman went on to say she would have remembered someone pushing on her chest, and pulling out handcuffs. She believed that was very descriptive information that hinted of a tall tale.

Subject Coleman remembered calling Palmdale Station after being stopped by Witness [redacted] but did not remember telling Lieutenant Ford she showed him her badge. She did remember coming to Palmdale Station sometime after the date she was stopped by Witness [redacted] to turn in a blue-check device previously issued to her. Subject Coleman was asked if she thought about turning in the flat badge then, she said, "Nope."

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY



Subject Coleman stated she remembered getting [redacted] and turning in her duty weapon and uniform badge and telling Captain Denham and Lieutenant Ford her flat badge was lost. Subject Coleman said she was never told being [redacted] prohibited her from exercising her police powers. Subject Coleman was asked if she recalled signing the [redacted], she stated she was so upset the day she was [redacted] she could have signed anything. Subject Coleman stated she did not ask them anything about the process of being [redacted] and they did not explain the process. Subject Coleman was asked if she considered notifying Palmdale Station when she found her flat badge, knowing a lost property report had been filed. She said, "Not really."

Subject Coleman stated she did not recall a phone conversation with Carmen Rodriquez about a week prior to her interview (April 17, 2012) where she told Ms. Rodriguez she found her flat badge, however she did not have it in her possession anymore because it had been boxed up due to the flood at her house. Subject Coleman would not directly answer the question posed by Sergeant Matthews on why she told Ms. Rodriguez on the phone her badge was boxed up when in fact she had her badge.

The above summary was written from information obtained from the Internal Criminal Investigation Bureau interview of Subject Coleman. Subject Coleman's interview was also summarized by Sergeant Castano in **Exhibit A**, pages 14-19.



Leroy D. Baca, Sheriff

County of Los Angeles

Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169



April 25, 2013

Deputy Holly Coleman, #[redacted]
[redacted]

Dear Deputy Coleman:

You are hereby notified that it is the intention of the Sheriff's Department to discharge you from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective the close of business May 15, 2013.

An investigation under IAB File Number IV2309525, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations, and Orders: and/or 3-01/040.40, Misappropriation of Property, on or about May 26, 2010 through April 17, 2012, without consent of the Department, you retained possession of and did not return, and/or used as your own, property of the Los Angeles County Sheriff's Department in the form of your Department issued flat badge and identification card, after being ordered to surrender the items on or about May 26, 2010, upon being relieved of your regular duties as a Deputy Sheriff, as evidenced by, but not limited to:

   a. reporting the loss of your Departmental issued flat badge and Departmental issued identification card (file number 910-13825-2610-442), and documenting it was lost in June of 2010, and/or;

   b. displaying the flat badge to Deputy [redacted] Ventura County Sheriff's Department, while being the subject of a vehicle traffic stop on or about March 20, 2012, in Ventura County; and/or,

c. stating to Carmen Rodriguez on April 5, 2012, that you were in possession of your Department issued flat badge, but lost it again as it was packaged and placed into storage, and/or;

d. admitting on April 17, 2012, during the execution of a search warrant on your vehicle, that you had the Department issued flat badge in your possession, and/or;

e. possessing the Department issued flat badge and identification card in your purse during an April 17, 2012, execution of a search warrant on your vehicle, and/or;

f. stating that you did not return the badge to the Department because you were still a deputy, and/or;

g. being named in a criminal report (pending with the District Attorney's Office 912-00038-2003-441) for Receiving Stolen Property, 496(A) P.C.

2. That in violation of Manual of Policy and Procedures, Sections 3-01/030.05, General Behavior; and/or 3-01/000.10, Professional Conduct, and/or 3-01/030.15, Conduct Toward Others; and/or 3-01/030.06, Disorderly Conduct, on or about March 20, 2012, you failed to treat Ventura County Sheriff's Deputy [redacted] in a respectful and civil manner after being stopped by him for driving your personal vehicle at speeds of, or in excess of 90 miles per hour, and making unsafe lane changes; and/or failed to conform to the Core Values of the Department as you did not respect the dignity of Deputy [redacted] and/or failed to display the integrity of an off-duty law enforcement officer and do the right thing when stopped for a traffic violation, as you presented a law enforcement badge in an effort to receive professional courtesy; and/or did not comply with Deputy [redacted] request and commands to return to your vehicle; and/or became argumentative and belligerent with Deputy [redacted] and/or caused undue embarrassment, or damaged the reputation of the Department; and/or brought discredit to yourself and the Department.

3. That in violation of the Manual of Policy and Procedures, Section 3-01/040.75, Failure to Make Statements, and/or Making False Statements During Departmental Internal Investigations, on or about April 17, 2012, you failed to make full, complete, and/or truthful statements during an internal interview, as evidenced by, but not limited to:

a. stating that you had lost your Department flat badge and identification card prior to being ordered to surrender the items on May 26, 2012, and/or;

b. stating that you lost your Department flat badge and identification card in July 2010 or 2011; and/or,

c. being evasive and or incomplete in your response to questions regarding your encounter with Ventura County Sheriff's Deputy [redacted] and/or;

d. stating that you did not ask for professional courtesy, and/or words to that effect, when you spoke with Deputy [redacted] and/or;

e. stating that your badge was boxed up and placed in a storage facility.

4. That in violation of the Manual of Policy and Procedures, Sections 3-01/050.10, Performance to Standards; and/or 3-01/100.35, False Information in Records, on or about August 17, 2010, you failed to conform to the standards of your rank when you drafted a report (910-13825-2610-442) containing false information that you lost your Department badge and identification card on or about June 2010.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

You may respond to the intended action orally or in writing. In the event that you choose to respond orally to these charges, you have already been scheduled to meet with Chief Jacques La Berge, on May 13, 2013, at 1030 hours, in his office, which is located at 4700 Ramona Boulevard, Monterey Park, California 91754. If you are unable to appear at the scheduled time and wish to schedule some other time prior to May 13, 2013, for your oral response, please call Chief La Berge's secretary at [redacted] for an appointment.

If you choose to respond in writing, please call Chief La Berge's secretary to cancel your scheduled appointment, and send your response to the facts contained in this letter to Chief La Berge's office by no later than May 15, 2013.

Unless you are currently on some other type of authorized leave, pursuant to Rule 16.01 of the Los Angeles County Civil Service Commission Rules, effective immediately, you are on paid administrative leave which will continue during the fifteen (15) business days you have to respond to the intended discharge or until the conclusion of your pre-disciplinary hearing. If you are presently on an authorized leave,

that leave will continue during the fifteen (15) business days you have to respond to the intended discharge, or until the conclusion of your pre-disciplinary hearing.

Failure to respond to this Letter of Intent within fifteen (15) business days will be considered a waiver of your right to respond and will result in the imposition of the discipline indicated herein.

If you did not receive the investigative material on which your discipline is based at the time you were served with this correspondence, you may contact the Internal Affairs Bureau at (323) 890-5300, to obtain a copy of the case file.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Alicia E. Ault, Captain
Internal Affairs Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

AEA:pmp:pp

c: Advocacy Unit
Employee Relations Unit
Chief Jacques La Berge, North Patrol Division
Internal Affairs Bureau
Office of Independent Review (OIR)
(File #2309525)

LOS ANGELES COUNTY DISTRICT ATTORNEY
CHARGE EVALUATION WORKSHEET

X FELONY MISDEMEANOR	AGENCY NAME LASD - INTERNAL CRIMINAL AGENCY FILE NO. (DR OR URN) 912-00038-2003-441	DA CASE NO. 33399960 DA OFFICE CODE J.S.I.D. #12-0578R	DATE 10/08/2013 VICTIM ASSISTANCE REFERRAL ☐ YES – NOTIFY VWAP ☐ NO

SUSP NO.	SUSPECT	CODE	SECTION	OFFENSE DATE	REASON CODE
1	NAME (LAST, FIRST MIDDLE)) COLEMAN, HOLLY	PC	496(A)	03/30/2012	H
		PC	484(A)	05/26/2010	H
	DOB: / SEX (M/F): F / BOOKING NO.: / VIP -- Yes X No				
	___ Gang Member Name of Gang / ___ Victim Gang Member Name of Gang:				
	Victim Name: / Victim DOB:				
2	NAME (LAST, FIRST MIDDLE))				
	DOB / SEX (M/F) / BOOKING NO. / VIP -- Yes -- No				
	Gang Member Name of Gang / ___ Victim Gang Member Name of Gang:				
	Victim Name: / Victim DOB:				
3	NAME (LAST, FIRST MIDDLE))				
	DOB / SEX (M/F) / BOOKING NO. / VIP -- Yes -- No				
	Gang Member Name of Gang / ___ Victim Gang Member Name of Gang:				
	Victim Name: / Victim DOB:				

Comments

SEE ATTACHED

COMPLAINT DEPUTY (print)	COMPLAINT DEPUTY (SIGNATURE)	STATE BAR NO.	REVIEWING DEPUTY (SIGNATURE)
RENEE CHANG/ae	Renee Chang	174474	

I have conveyed all relevant information to the above-named Deputy District Attorney to be used in consideration of a filing decision.

FILING OFFICER (PRINT): SGT. ERIC CASTANO FILING OFFICER (SIGNATURE): MAILED 10/11/13 SERIAL #: ______

DEPARTMENT OF JUSTICE REASON CODES (FORM 8715)			DISTRICT ATTORNEY'S REASON CODES
A. Lack of Corpus B. Lack of Sufficient Evidence C. Inadmissible Search/Seizure	D. Victim Unavailable/Declines To Testify E. Witness Unavailable/Declines to Testify F. Combined with Other Counts/Cases G. Interest of Justice	H. Other (indicate the reason in Comments section) I. Referred to Non-California Jurisdiction J. Deferred for Revocation of Parole K. Further Investigation	L. Prosecutor Prefiling Deferral M. Probation Violation filed in lieu of N. Referred to City Attorney for Misdemeanor Consideration

LAST NAME: COLEMAN FIRST NAME: HOLLY DA CASE NUMBER: 33399960

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the allegation that Los Angeles Sheriff's Department (LASD) Deputy Holly Coleman [redacted] committed the crimes of petty theft in violation of Penal Code section 484 and receiving stolen property in violation of Penal Code section 496(a). For the reasons set forth below, this office declines to initiate criminal proceedings.

The following analysis is based on reports prepared by the Los Angeles Sheriff's Department, submitted to this office by Sergeant Eric Castano, Internal Criminal Investigations Bureau (ICIB). Coleman's voluntary statement was reviewed and considered in this analysis.

FACTUAL ANALYSIS

Holly Coleman was an LASD deputy.[1] Coleman was assigned to the LASD Palmdale Station when, on May 24, 2010, she was [redacted] On May 26, 2010, Coleman signed a document indicating that she was aware that she was [redacted] and that she was required to return her uniform badge, flat badge, LASD identification card, and service weapon.[3] Coleman turned in her service weapon and uniform badge but stated that she did not have her flat badge or identification card with her.[4] In the next few weeks, several attempts were made by LASD personnel to obtain Coleman's flat badge and identification card. On August 17, 2010, Coleman filed a lost property report stating that she lost the flat badge.[5]

On March 30, 2012, Coleman was driving in her personal Nissan Altima in the Moorpark area on the 118 freeway in Ventura County. Ventura County Sheriff's Department (VCSD) Deputy [redacted] was driving an unmarked police vehicle when he noticed Coleman driving in an erratic manner at a high rate of speed.[6] [redacted] conducted a traffic stop. Coleman braked suddenly and veered to the right shoulder of the freeway.

After [redacted] stopped his vehicle, he approached Coleman's passenger side door. As he neared, Coleman extended her arm toward him, displaying a badge encased in a black leather wallet. When [redacted] asked for her driver's license, registration and proof of insurance, Coleman stated, "I've already shown you my I.D." When he asked again for

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[1] Coleman became an LASD deputy on March 23, 1999. She is also known by her maiden name, Holly Irwin.

[2] Coleman was [redacted] because she began to exhibit erratic behavior and extreme mood swings at work that presented a safety hazard to herself and others. She was [redacted] pending a [redacted]

[3] An LASD flat badge is the badge that is carried next to the LASD identification card in a black leather wallet.

[4] The flat badge and the identification card are valued at approximately $44.

[5] In the report, Holly claimed that she lost the badge sometime between June 2010 and the date of the report, August 17, 2010.

[6] Coleman was straddling lanes, changing lanes without signaling and driving approximately 100 miles per hour.

her license, Coleman began to berate [redacted] criticizing the manner in which he conducted the traffic stop. Shortly thereafter, Coleman exited her vehicle and began to argue with [redacted] She asked him if he had ever heard of the term "professional courtesy" and stated, "We are supposed to take care of each other."

Though he was uncomfortable with the situation, [redacted] decided not to issue a citation to Coleman and gave her a warning instead. Following the traffic stop, Coleman called LASD Captain Don Ford who was assigned to the Palmdale Station. She advised Ford that she had just been pulled over by a VCSD deputy. She stated that the deputy was rude and may be calling Palmdale Station to complain about her. Shortly after Ford hung up the phone with Coleman, he received a call from [redacted]. [redacted] informed Ford that, after he pulled Coleman over for erratic driving, she displayed her badge and berated him for the tactics he used during the traffic stop. Realizing that Coleman was in possession of her flat badge which she claimed that she had lost, Ford made a request to initiate a criminal investigation into the matter.

On April 2, 2012, Coleman went to Palmdale Station to fill out some administrative paperwork related to timekeeping. While she was there, she returned her blue-check device.[7] She did not turn in her flat badge, nor did she mention that she had found it.

On April 5, 2012, LASD Operations Assistant [redacted] called Coleman to ask if she had found her flat badge.[8] Coleman stated that she had found it, but that she did not have it anymore. She explained that her house had flooded and a storage company packed up the badge in a box and placed it into a storage facility.[9] Coleman further stated that she did not think it mattered because she had already returned her uniform badge. When informed that she was required to return her flat badge, Coleman responded, "I don't know how I would get that." She further stated that she would have to "sift through thousands and thousands and thousands of boxes."

On April 10, 2012, Coleman called [redacted] regarding timekeeping matters related to her leave. During the call, Coleman told [redacted] that she should be allowed to keep her badge because she was required to use her accrued leave balances to cover her absence from work. [redacted] advised Coleman that, despite using her accrued leave, she was still relieved of duty and was required to turn in her flat badge. Coleman did not advise [redacted] that she had found her badge at any time during the conversation.

On April 17, 2012, LASD deputies conducted a traffic stop on Coleman when she was driving near her home and executed a search warrant. During the execution of the

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[7] A blue-check device is a portable fingerprint identification system used in the field to identify individuals who do not have identification. This was issued to Coleman when she was on active duty. When Coleman was [redacted], she was repeatedly requested to return the device along with the flat badge.

[8] This call was arranged and recorded by ICIB Sergeant Castano.

[9] According to insurance records, Coleman's residence flooded on November 14, 2011. The moving company used to pack up the contents of the house for flood mitigation began their work on November 16, 2011 and completed it on January 12, 2012.

warrant, Coleman admitted that she had the flat badge in her purse and turned it over to LASD investigators.

On April 17, 2012, Coleman was interviewed by Castano immediately following the traffic stop.[10] She stated that she found the badge in a box sometime after her house was flooded in 2011. She further stated that the badge was not placed into storage. When asked about her telephone conversation with [redacted] on April 5, 2012, where she stated that the badge had been placed into storage, Coleman stated that she could not recall what was said.

Coleman admitted to being stopped numerous times in the past year for traffic violations by members of the California Highway Patrol (CHP). She stated that she was not issued citations during any of these stops. When asked about the traffic stop that was conducted by VCSD Deputy [redacted] Coleman stated that she was on her way to a doctor's appointment when she was pulled over. Coleman stated that she could not remember if she displayed her badge to [redacted] but that if she had, it was not improper. She stated, "I've been on for [redacted]...that's normal for me. It's not scandalous to me, it's not weird." After Coleman's interview, she was released and remained [redacted]

[10] Prior to the interview, Castano advised Coleman that they were investigating an allegation that she stole her LASD flat badge. Castano further informed Coleman that she was not under arrest and that she could not be administratively disciplined if she chose not to participate in the interview.

[redacted]

CONCLUSION

Penal Code section 484(a) provides that "[e]very person ...who shall fraudulently appropriate property which has been entrusted to him or her... is guilty of theft." Penal Code section 496(a) provides that "[e]very person ... who conceals, sells, withholds...any property from the owner, knowing the property to be so stolen" is guilty of a crime. CALCRIM No. 1750 requires the following to be proven:

1. The defendant concealed or withheld from its owner property that had been stolen; and
2. When the defendant concealed or withheld the property, she knew that the property had been stolen.

Property is stolen if it was obtained by any type of theft, or by burglary or robbery. CALCRIM No.1750. Theft includes obtaining property by larceny, embezzlement, false pretense, or trick. CALCRIM No. 1750. CALCRIM 1806 requires the following to be proven for the crime of theft by embezzlement:

1. An owner or owner's agent entrusted his property to the defendant;
2. The owner or owner's agent did so because he trusted the defendant;
3. The defendant fraudulently used that property for her own benefit; and
4. When the defendant used the property, she intended to deprive the owner of its use.

A person acts fraudulently when he or she takes undue advantage of another person or causes a loss to that person by breaching a duty, trust or confidence. CALCRIM No. 1806.

[redacted]

Coleman was advised numerous times that she was required to return the flat badge which is the property of LASD. On August 17, 2010, she reported the badge lost. However, on March 20, 2012, she displayed the badge to [redacted] during a traffic stop and asked him to extend her "professional courtesy." When questioned about the badge on April 5, 2012, she denied having the badge. She further stated that the badge had been placed into storage after her residence flooded. She stated that she would not be able to locate it as it was in one of "thousands and thousands and thousands" of boxes. However, her residence flooded in November 2011, prior to the traffic stop conducted by [redacted]

Based on her statements, it appears that Coleman fraudulently appropriated the badge even though she was told to return it by LASD officials. Further, it is apparent from her behavior that she retained the badge so that she could display it during traffic stops in order to avoid receiving traffic citations. In doing so, she used the badge and deprived the LASD of its use.

However, because the value of the badge was small, LASD had no known use for the badge during the time that Coleman misappropriated it, LASD has recovered the badge, and there was no monetary loss, the offense is de minimis in nature. It appears that Coleman's erratic behavior which resulted in her [redacted] Finally, Coleman has resigned from the department. Therefore, we are closing our file and will take no further action in this matter.